

Exhibit 1

TRIAL CAUSE NO. 14467

COUNTY OF NEWTON

Plaintiff,

v.

PURDUE PHARMA, L.P., et al.

Defendants.

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IN THE DISTRICT COURT

____ JUDICIAL DISTRICT

NEWTON COUNTY, TEXAS

**MDL PRETRIAL CAUSE NO. _____
(MDL MASTER CAUSE NO. 2018-63587)**

IN RE TEXAS OPIOID LITIGATION

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IN THE DISTRICT COURT

152ND JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

NOTICE OF TRANSFER OF TAG-ALONG CASE

To the Honorable Court:

As required by Rule 13.5(e) and Rule 13.5(a) of the Texas Rules of Judicial Administration, this notice is to inform the Court that this case is transferred as a tag-along action to the 152nd District Court of Harris County, Texas before Judge Schaffer.

On April 20, 2018, Manufacturer Defendants¹ filed a Motion to Transfer six opioid-related Texas cases and all future related Texas cases to a pretrial court under Rule 13 of the Texas Rules of Judicial Administration. On May 1, 2018, Distributor Defendants² joined the Rule 13 Motion with respect to these cases and identified two additional, related Texas cases for transfer. On May 10, 2018, Manufacturer Defendants and Distributor Defendants filed a joint supplement to the Motion to Transfer, identifying ten additional, related cases for transfer.

On June 13, 2018, the Texas MDL Panel granted the Motions to Transfer in Docket No. 18-0358, styled *In re Texas Opioid Litigation*. (Order Granting Motions to Transfer, attached at Appendix C.) On June 18, 2018, the Texas MDL Panel appointed the Honorable David Peeples, Senior Judge of the 224th District Court of Bexar County, as the pretrial judge for the *Texas Opioid Litigation* MDL and transferred “all pending cases, together with any tagalong cases, to him.” (Appointment of Pretrial Judge, attached at Appendix D.)

On August 25, 2018, Judge Peeples recused himself. (Order of Voluntary Recusal, attached at Appendix E.) On September 5, 2018, the MDL Panel reassigned the MDL proceeding to Judge Robert Schaffer, ordering that “the cases listed in the Appendices of the Motions for Transfer and all tag-along cases are transferred to Judge Robert Schaffer of the 152nd District Court of Harris County.” (Order Appointing Pretrial Court, attached at Appendix F.)

¹ The Manufacturer Defendants that filed the April 20 motion were Purdue Pharma L.P.; Purdue Pharma Inc.; The Purdue Frederick Company Inc.; Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.; Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals Inc.; Knoll Pharmaceutical Company, a wholly-owned subsidiary of AbbVie Inc.; AbbVie Inc.; Watson Laboratories, Inc.; Actavis LLC; and Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.

² The Distributor Defendants that filed the May 1 motion were AmerisourceBergen Drug Corporation, McKesson Corporation, and Cardinal Health, Inc.

This case is a tag-along action within the meaning of the Texas Rule of Judicial Administration 13.2(g).

Upon filing this notice of transfer with the Transfer Order, this case is deemed transferred from the trial court to the MDL Pretrial Court pursuant to Rule of Judicial Administration 13.5(e). The effect on a trial court of filing this Notice of Transfer is further discussed in Rule 13.5(b).

As required by Rule 13.5(a), attached at Appendix A to this notice is a list of all parties who have appeared and remain in the case, and the names, addresses, phone numbers, and bar numbers of their attorneys.

Attached at Appendix B to this notice is a list of all parties who have not yet appeared in the case.

Dated: January 7, 2019

Respectfully submitted,

By: /s/ Stephen E. McConnico

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument was filed using the Court's electronic filing manager, which will transmit electronic service to all counsel of record registered to receive service. I further certify that a true and correct copy of the foregoing instrument was served via email on the following counsel on January 7, 2019:

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A true and correct copy of the foregoing instrument was mailed to the following *pro se* parties in one or more of the *Texas Opioid Litigation* MDL cases on January 7, 2019 via certified mail:

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APPENDIX A

LIST OF PARTIES WHO HAVE APPEARED AND REMAIN IN THE CASE

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APPENDIX B

LIST OF ALL PARTIES WHO HAVE NOT YET APPEARED IN THE CASE

Parties Who Have Not Yet Appeared

Endo Health Solutions Inc.

Endo Pharmaceuticals, Inc.

Purdue Pharma, L.P.

Purdue Pharma, Inc.

The Purdue Frederick Company

APPENDIX C

ORDER GRANTING MOTIONS TO TRANSFER

ORDER OF MULTIDISTRICT LITIGATION PANEL

Order Pronounced June 13, 2018

THE MOTION FOR TRANSFER IN THE FOLLOWING MULTIDISTRICT LITIGATION CASE IS GRANTED:

18-0358 IN RE TEXAS OPIOID LITIGATION

Defendants Purdue Pharma L.P., et al. and McKesson Corporation, et al. joint motions to transfer under Rule 13 of the Texas Rules of Judicial Administration are granted. The panel will issue a second order at a later date naming the judge to whom the cases will be transferred.

Justice Brown delivered the opinion of the MDL Panel.

APPENDIX D

ORDER APPOINTING JUDGE PEEPLES

ORDER OF MULTIDISTRICT LITIGATION PANEL

Order Issued June 18, 2018

APPOINTMENT OF PRETRIAL JUDGE IN THE FOLLOWING MULTIDISTRICT LITIGATION CASE:

18-0358 IN RE TEXAS OPIOID LITIGATION

The panel hereby appoints Judge David Peeples, senior judge of the 224th District Court of Bexar County, previously approved by the Chief Justice pursuant to Administrative Rule 13.6, as pretrial judge in the captioned proceeding and transfers all pending cases, together with any tagalong cases, to him.

APPENDIX E

ORDER OF VOLUNTARY RECUSAL

No. 2018-CI-12812

IN RE TEXAS OPIOID
LITIGATION

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

ORDER OF VOUNTARY RECUSAL

On August 3, while reading and preparing for the initial hearing in the captioned litigation, the court noticed that one of the opioid drugs at issue had been used by the court's wife in 2016. The court confirmed this recollection by discussing it with his wife and by locating the bottle of remaining pills that were prescribed for her in May 2016.

On the following day the court notified liaison counsel of this discovery and summarized for them the circumstances of his wife's use of the opioid pills. The court expressed concern that he was an eye witness to events involving the prescribing and use of an opioid similar to some of the contested issues in the captioned litigation. The court further stated that recusal might be required by Rule 18b (b), which says: "A judge must recuse in any proceeding in which: . . . (3) the judge has personal knowledge of disputed evidentiary facts concerning the proceeding."

The court and liaison counsel agreed that the parties should be given the opportunity to waive this possible ground for recusal pursuant to Rule 18b (e) ("parties to a

proceeding may waive any ground for recusal after it is fully disclosed on the record”), but not all parties have agreed to waive the issue.

The court has concluded that the prudent course of action is to recuse voluntarily. The court therefore issues this order of voluntary recusal from the captioned litigation and from MDL Cause No. 18-0358, *In Re Texas Opioid Litigation*. The MDL Panel Chair has been notified of this recusal, and another judge will be assigned.

SIGNED: August 25, 2018



JUDGE DAVID PEEPLES

EXHIBIT F

ORDER APPOINTING JUDGE SCHAFFER

ORDER OF MULTIDISTRICT LITIGATION PANEL

Order Issued September 5, 2018

APPOINTMENT OF PRETRIAL JUDGE IN THE FOLLOWING MULTIDISTRICT LITIGATION CASE:

18-0358 IN RE TEXAS OPIOID LITIGATION

The Manufacturer Defendants Purdue Pharma L.P., et al. and the Distributor Defendants McKesson Corporation, et al.'s Motions to Transfer were granted on June 13, 2018. Pursuant to Rule 13 of the Texas Rules of Judicial Administration, the cases listed in the Appendices of the Motions for Transfer and all tag-along cases are transferred to Judge Robert Schaffer of the 152nd District Court of Harris County.